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February 28, 2018

VIA ECF

Hon. Vincent L. Briccetti  
United States Courthouse  
300 Quarropas Street, Room 630  
White Plains, NY 10601

Re: CIT Bank N.A. v. Tracy D. Diaz, *et al.*  
Case No. 7:16-cv-08794-VB

Your Honor:

We represent CIT Bank, N.A. (“*Plaintiff*”) in the above-referenced mortgage foreclosure action. I write pursuant to Your Honor’s individual practice rules to request that Plaintiff’s motion for *inter alia* a Judgment of Foreclosure and Sale and related documents filed at ECF Nos. 27- 31 be withdrawn without prejudice. Plaintiff, seeks to have the motion withdrawn as a result of a settlement between the parties; moreover Plaintiff intends to file a stipulation of voluntarily dismissal upon receipt from defendants. Further, Plaintiff requests that the upcoming motion appearance for March 8, 2018 be cancelled, as a result of the aforementioned settlement.

Thank you for your courtesies and consideration in this matter. Please do not hesitate to contact the undersigned with any questions or concerns.

Respectfully submitted,

/s/  
\_\_\_\_\_  
Marc J. Gross, Esq.

VIA ECF

Tracy D. Diaz (*Pro Se Defendant*)

VIA First Class Mail

Caitlyn Diaz (*Pro Se Defendant*)  
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